

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

MATTHEW SETH SPRATLEN,
Plaintiff,

v.

**JOHN RAINEY, in his individual
capacity; MARK ANTHONY LUNA,
in his individual capacity;
GUADALUPE PINEDA, in her
individual capacity; and ECTOR
COUNTY,**
Defendants.

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MO:24-CV-00053-DC

ORDER

Before the Court is the report and recommendation¹ from United States Magistrate Judge Ronald C. Griffin concerning Defendants' motion to dismiss.² Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Griffin issued his report and recommendation on December 27, 2024. As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de

¹ ECF No. 20.

² ECF No. 11.

novo review by the district court. When no objections are timely filed, a district court can review the magistrate's report and recommendation for clear error.³

Because no party has timely objected, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge⁴ is **ADOPTED**. Defendants' motion to dismiss⁵ is **GRANTED**. Plaintiff's claims are **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

SIGNED this 13th day of January, 2025.

A handwritten signature in black ink, appearing to read 'David Counts', with a stylized star-like flourish at the end.

DAVID COUNTS
UNITED STATES DISTRICT JUDGE

³ See Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

⁴ ECF No. 20.

⁵ ECF No. 11.